

Mayor David Anderson called the council meeting of March 18, 2008 to order at 7:00 p.m. Present for the meeting were Mayor Anderson, Council President John Langs, Council Members Connie Wells, Dave Sims, and Dave Gray, Clerk Kris Larson, City Administrator Stephen Boorman, City Engineer Mike Klaus, Police Chief Dave Kramer, Street Supervisor and Assistant Fire Chief John Youngwirth, and Fireman Ken Baker. Also present were Steve and Jeannie Bender, Eldon Koon, Pat Pinsonneault, Tina Wilson, Eileen Zwinger, Trilby Hoover, David and Jill Nugent, Roko Govorchin, Dan Moore, Sarah Thomas, Marisa Bauducco, Karl Heiss, Alden Bauducco-Heiss, Aliana Bauducco-Heiss, Sam Testa, Greg Johnson, Curt-Randall Bayer, Craig Johnson, Carolyn Testa, Tamie Bremer, Philip Sweet, Mark Truesdell, Susan Pilacios, Tammy and Bill Henshaw, Tom Bennett, and Amelia McQuilkin.

Curt-Randall Bayer spoke to the group concerning Idaho Drug Free Youth Council (IDFY). There is an IDFY event on May 6, 2008 at the fairgrounds and he asked for support from City Council regarding this event. Prevention, education, and enforcement are coming through and this IDFY event is the educational part of the program. Curt handed out information to the group explaining the program and questions and answers. John Langs moved to authorize the Mayor to sign a letter of support for the Drug Free Youth Day. Dave Gray seconded the motion. The motion passed, all in favor.

Sam Testa spoke to council regarding the Forest Steward Legacy Program. Nearly 900 acres of timber and ag land belonging to Testa's, Johnson's, and Mackey's are being proposed to be entered into the Forest Steward Legacy Program. He is hopeful that council will support the Forest Legacy Program. Greg Johnson said large parcels must be had to be involved in the program. He said this is a partnership among neighbors and that is viewed favorably in the program. It is a program that keeps timbered lands producing timber. He said there is a 100 year timber rotation and the program passes on to future generations. It protects open space. John Langs moved to authorize the Mayor to sign a letter of support for the Forest Steward Legacy Program. Dave Sims seconded the motion. The motion passed, all in favor. Greg Johnson and Sam Testa left the meeting.

Tina Wilson thanked the group for letting her speak regarding the hospital levy. She introduced Craig Johnson, and Board Members Eldon Koon and Pat Pinsonneault. The levy needs a 50 percent plus one vote to pass according to Tina. The levy will allow the hospital to expand surgery type services and about 1200 square feet will be added to the lower level. More therapy rooms will be added. Computers are necessary equipment for hospital work so a computer upgrade will be part of the levy. Laundry equipment processes over 600 pounds of laundry per day and it is time to replace this equipment. Hematology analyzer is center and vital to laboratory services and this will be replaced with a newer and larger model. The current operating table is over 40 years old and the hydraulics are wearing out so a new one will be purchased. A c-arm x-ray machine is planned to be purchased for orthopedics and it would also help detect a stray bullet, arrow, nail, etc. and help with setting bones. The anesthesia machine will be replaced. A gastro scope is planned to be purchased. The hospital is a 60 bed facility and

48 beds need to be replaced. One of the beds will be capable of weighing a patient. Physical plant maintenance will also be done with a portion of the levy. The hospital has a \$10 million budget and county taxes are less than ten percent of the revenue. The levy request is for two years at \$335,000 per year. Tina gave a presentation concerning what the possible tax impact would be to property owners. The levy election will be on May 27, 2008.

Mayor Anderson called the special use permit hearing to order at 7:30 p.m. for Sheepgate Services, Inc. Sheepgate Services are proposing a sober living facility at 6472 Polk Street.

Craig Johnson, Eldon Koon, Curt-Randall Bayer, and Pat Pinsonneault left the meeting.

Trilby Hoover thanked the council for allowing them to present their project. The sober living home is to be located at 6472 Polk Street. She explained the meaning of the name. She said the philosophy is to live your way into better living to give young adult women who have received primary treatment a short term process and structure for sober living. She said the typical profile is young women from 18-25 years old who are not criminals that are typically college bound and have been compromised by the party scene. This program is directed to help the young women get back on track and help them learn daily living activities. Clear accountability of their time will be done and they will be drug tested. The program is Christian and these life skills are promoted. Trilby went over a sample of a weekly schedule for the participants. The typical stay for a participant is 90 days. Trilby Hoover is a psychiatric nurse with 28 years of experience and Jill Nugent is a certified addictions counselor with 19 years experience.

John Langs asked if other facilities are operated. Trilby said this will be the only one operating at this time. Dave Gray asked if this program would be similar to a Rocky Mountain Academy. Trilby said it would be open to people outside the area as well as people in our area. Dave Sims asked if the traffic count was based on experience. Trilby said it was not and she estimated the number of trips to six times per day based on the schedule. Dave Sims asked if vehicles would be prohibited. Trilby said they are not prohibited but they are discouraged. Dave Gray asked if there would be state inspections or permits required. Trilby said the fire department would need to do a fire inspection to meet the codes. She said there are not state permits or licenses required. She said it is similar to a gated community. Mike Klaus asked if the property would be leased. Trilby said the property would be leased from Donna Short. Mike clarified that this should be specified. Trilby said the facility was once a child care facility.

Mike Klaus gave a staff presentation. He said an application was brought forward in January and the issue went before Planning and Zoning and they recommended approval with conditions. Mike read from the planning and zoning ordinance regarding special uses. He also read from Idaho Code regarding special use permits.

Mike Klaus read into the record letters received prior to the hearing. Debbie Cheatham's letter was in opposition to the proposal. John Langs asked if Ms. Cheatham was a property owner. Mike said she was. Mike read a letter of opposition received from Helen Siver. Mike said a

third comment form from Amelia McQuilkin was received in opposition. Amelia spoke and said she is a property owner.

Roko Govorchin who lives at 6484 Fillmore Street spoke in favor of the proposal. He said the previous neighbor at Polk Street had many visitors that were veterans with problems and the neighborhood did not suffer from these visits. He said the proposed location is close to the NIC Center and local churches are within walking distance. Roko spoke of prior acquaintances that worked with him that had drug and alcohol problems and the people became success stories.

Dan Moore, property owner in the area, said the people requesting the special use are his neighbors and they are good people. He said Trilby is well respected in the industry and they know what they are doing. Dan said he has an apartment building in the area and he has no control of the tenants and this proposed facility will have controls and they are good people that are serious about the issue.

Bill Henshaw from Assembly of God Church spoke and said the character and makeup of the owners of Sheepgate Services is impeccable. They do great work and he is in favor of the facility. He said many parents have found out that their children are doing things they should not have been and as a minister he has helped counsel these parents. Bill wants to see the community grow morally and the more that can be done to help the cause the better. He is in favor.

Tamie Bremer is in favor of the proposal and said she lived in Spokane for years near recovering alcoholics and drug addicts. She said sometimes the first reaction is fear when there are unknowns. She said the people had very strict guidelines and the people that will be living in this home will have very strict monitoring. She said alcoholism affects families and urged council to support the issue.

Philip Sweet spoke in favor. He said each year he takes kids from Echo Springs and North Woods Programs rafting and they are respectable young people. He said Dave Nugent is chairing a bible study that he attends and he said this venture is being done for the right reasons, not for the money. He said many of the students that attended Echo Springs and North Woods contact him after they have left the area. He said Nugent's and Hoover's would do a good job with the participants.

Susan Pilacios spoke in favor. She and her husband have worked with the Hoover's and the Nugent's in the past and they have interest in the young people. They have great success in their programs and their commitment is wonderful. She said this would bring a lot of revenue into the community and she is in favor. She said they would care for the neighbors.

Karl Heiss spoke in opposition to the Sheepgate Services home in their neighborhood. He said there are questions that have not been answered. He said they would like to keep the quiet nature of their neighborhood safe and there are many children playing in the neighborhood at any given

time. He said this type of group home could be located in an alternate area that is zoned appropriately, not in a residential neighborhood. The proposed home is a for-profit business and he does not think a residential neighborhood is appropriate. He asked the council to thoroughly investigate the business owners because they had been told of certain businesses that had operated elsewhere but Heiss could not find the operation of a home on the internet. He said the maximum allowed at this home would be eight. He said vehicle traffic is a concern with the number of residents living in the home as well as the workers and this is a concern to the neighbors. He is concerned that the projected traffic count may not be accurate. Karl said there should be a background checks. He said they could not research the monitoring program. He spoke of nursing licenses not being current for Trilby. Karl asked if the residents of the home would be coming from licensed treatment facilities. The letter he submitted was signed by Steve Bender, Eileen Zwinger, Marisa Bauducco, Karl Heiss, and other neighbors.

Tom Bennett spoke about his concerns due to the lack of facts that he has been able to obtain regarding Sheepgate Services. He has looked on the internet and has not found information. He is concerned about traffic also. He said until he gets more information that these issues will be considered he is opposed and he does not like the gray areas. Tom asked what happens if drugs are used by the participants, will they be shipped out. He does not like the idea of more drugs being brought in especially if the residents of the facility are not monitored.

Trilby Hoover said this is an offer of residential living. She said they would like to support young people and make this attractive to young people. This neighborhood is a nice piece of property that provides privacy. She said they are not affiliated with any church. This application is for a special use permit in a residential neighborhood for young women that are in need and she is hoped they would be treated like the neighbor's girls.

Mayor Anderson closed the special use permit hearing at 8:28 p.m.

Mark Truesdell, Steve and Jeannie Bender, Eileen Zwinger, and Amelia McQuilken left the meeting.

Dave Kramer said there was a drug arrest for methamphetamines with a Chevy dually pickup and about \$1,000 cash seized. He also said three other arrests have been made since the last council meeting.

John Youngwirth gave the fire department report. There has been one gas leak reported at a downtown business, a gas dig in on El Paso Street where S&L Construction is working on a water project, a small trailer house fire, and a baseboard heater that burned the controls off the heater in a residence on the northside. John also said the wild land fire training has been completed. Parking lot washing will begin soon.

Stephen gave the administrator report. He encouraged council to attend the upcoming AIC spring seminar in Coeur d'Alene. He said unit four is up and running very smoothly. The ICUA

meetings will be held the end of July and these are good meetings to attend. A tree was taken down on Denver Street that was leaning toward a house. There are dike failures below the Union Pacific Railroad bridge near where the old dock used to be. The Corps is looking at this also. A letter from DEQ concerning snow storage is in the packet for council. The highway 95 bridge waterline realignment is being worked on and it will consist of two shut downs on the line feeding the northside. The waterline construction has started again in the neighborhood of Denver Street. For sewer, a quote from Coeur d'Alene Dredging is expected by the end of the month for dredging the lagoons. New docks have been installed at the ponds at the golf course. The parts for the swimming pool will be ordered this week. He spoke of the accounting reports included in the packet and asked council to let staff know if they have questions. David Sims commented on the letter from IEC concerning nuclear power.

Dave Gray moved item number six from the consent agenda to new business. John Langs moved to approve the consent agenda items one through five. Dave Sims seconded the motion. The motion passed, all in favor. The consent agenda contained the following items: roll call; approval of accounts payable for March 18, 2008 and payroll from March 14, 2008; approval of March 4, 2008 regular council meeting minutes; and approval for Dan Williams to attend voltage regulator school in Vancouver, Washington from June 10-12, 2008.

The group discussed the annexation workshop. David Sims suggested having the workshop at an off council date on a Tuesday. The group set it for April 8, 2008 at 7:00 p.m. at city hall.

No action was taken on city resort tax.

Mike Klaus said the next step in gaining compliance with the discharge permit is to dredge the sewer lagoon. He said city staff met with a consultant today to go over scoping to get in compliance with the discharge permit. Mike said once the lagoon is dredged then we will know if we have other issues to deal with. Stephen said algae is causing the suspended solids problem at the sewer lagoon. Dredging should bring the algae percentage down.

John Langs asked about the backwash. Mike did not have an update. David Sims asked if there is an installation date scheduled for the clarifiers. Mike said there is not a date yet. Dave Gray asked when a tour to Myrtle Creek could be done. Stephen said in a month or so.

Dave Gray asked about the fire academy training and inquired about the number of vehicles that would be traveling to the training. The costs of the travel were discussed. David Sims moved to approve the travel and training for the firemen. Dave Gray seconded the motion. The motion passed, all in favor.

John Langs said he would like to have a discussion of Sheepgate Services special use permit application without a motion. Dave Sims said he has worked with Trilby's husband and does not doubt the need for this type of service but he does not care for the setting in a residential neighborhood. He said when people move into an area they know what type of zone they are

living in and want to keep this zone. Connie Wells said she can see pros and cons to the issue. She questioned if the people in the neighborhood had a child that needed this type of services if they would be against it still. She said she does not think the traffic will be as big of an issue as people are concerned with because there was a daycare at that location previously. She is concerned about the young women and what they will be doing all day and how they will know the girls are not using alcohol or drugs. Dave Gray said he has reservations and concerns over the traffic issue and a business being created in a residential area. He has no qualms about the people or the organization or what they stand for but he knows there are areas in the community where they could move in and get started. He supports the endeavor but thinks there may be a better location. John Langs said the traffic is not an issue because Dr. Smith had a dental office there and people were coming and going every thirty minutes. He said the neighbors that are against the issue weighs heavy on him because they did not ask for this business to be brought to their neighborhood.

Dave Sims moved to deny the special use permit for Sheepgate Services at 6472 Polk Street. Dave Gray seconded the motion. The motion results were – Dave Gray “yes”, Dave Sims “yes”, Connie Wells “no”, John Langs “no”. Mayor Anderson said he is aware of the need and importance. He also said that the success of such endeavors without the belief in a higher being and a twelve point program that people do not break out of the bonds that bind them to addiction. He expressed concern about the residents that expressed opposition because these people purchased their homes in good faith. He supported the motion and denied the request by a yes vote.

Trilby thanked council.

Marisa Bauducco thanked council for listening to the neighbors and said she hoped they could find an alternate place.

John Langs moved that the city support and endorse the hospital levy in honor of Eula Sims. Dave Sims seconded the motion. The motion passed, all in favor.

Dave Sims asked about the design of the visitor center sign. Stephen said the sign idea came from the visitor center advisory committee originally. He said many organizations have to pay \$200-\$300 to make banners to fly on our poles. He said a quote for a reader board was obtained and he thinks the sign costs are reasonable. Dave Sims asked about the dimensions. Stephen said it is a minimum of 10 feet wide. He said the sign is double sided and it will be for reading as motorists travel past. Connie asked for clarification as to who is applying for the grant. Stephen said Selkirk Loop is applying for the grant funding and we will do the work and ask for reimbursement. Dave Gray moved to accept the proposal and apply for the grant and work with Carol Graham at Selkirk Loop. Stephen said competitive quotes will be obtained and it will be for the 2009 season. Dave Sims asked if the final design will be approved. John Langs seconded

the motion. The motion passed – John Langs “yes”, Dave Gray “yes”, Dave Sims “yes”, Connie Wells “yes”.

Stephen said three requests for proposals were sent out for the impact fee study. The traffic plan will need to be done first and the impact fee study will probably be done in the next fiscal year but we have two developers that are pushing hard so they may miss the impact fees. He said BBC Research Consulting was the firm selected by the interview committee. John Langs asked how many lots are proposed in the two developments. Stephen said we are talking about 100 lots. Dave Sims asked if it is realistic to have the impact fees in place before the development. Mike Klaus said the impact fees are typically paid at the time a building permit is issued. Stephen said the Nixon property is being looked at by a construction company that will come in and build a number of homes. Stephen said the cost of the impact fee study will be about \$30,000 with BBC. He said the traffic study will cost about \$40,000 to \$50,000 and we have \$15,000 in grant funding to come in and we have an estimated \$25,000 in the planning and zoning budget for consultants. Connie asked if we can charge an impact fee without a study. Stephen explained the impact fee process and said it must be defensible in court. Dave Sims asked how long it takes to implement the impact fees after the study is done. Stephen said it must go through the ordinance process. John Langs said the money from the impact fees must be spent on what is determined by the impact fee study. John Langs moved to pursue a contract with BBC Research and Consulting for an impact fee study. Dave Gray seconded the motion. The motion passed, all in favor. Stephen said the impact fee study will show other deficiencies the city may have.

Dave Sims moved to approve the special event permit for Badger Boosters and refund the fee paid by them. Connie Wells seconded the motion. The motion passed, all in favor.

John Langs moved to have the first reading of the time change ordinance for council meetings. Connie Wells seconded the motion. The motion passed, all in favor. Tim Wilson read Ordinance 508 in its entirety.

John Langs asked if vacation carryover requests are a general practice. Clerk Larson explained that vacation cannot be carried over from one year to the next unless council approves the request. Vacation is based on the employee’s anniversary with the city. Dave Gray moved to allow Stephen Boorman to carryover 31 hours of vacation leave to be used the first week of April. David Sims seconded the motion. The motion passed, all in favor.

Dave Gray moved to approve the purchase of camera system for the DARE vehicle. John Langs seconded the motion. The motion passed, all in favor.

Stephen said the FS2 Itron handhelds are essentially obsolete and they must be surplus by council before the city can sell them. Dave Sims moved to declare the handhelds surplus and sell them to Accu-read for \$50. Connie Wells seconded the motion. The motion passed, all in favor.

Dave Sims moved to allow Tammy Stemmene to use her accrued but not yet usable vacation prior to it being awarded. John Langs seconded the motion. The motion passed, all in favor.

Dave Gray would like to put the discussion of a sick leave bank on the next agenda. Stephen said the problem that comes into play is the pay differential between employees. Dave Kramer said different personnel policies are being looked at. Dave Gray said to give an example from the department heads for council to review.

Mike Klaus spoke to council regarding phase one of the water project. He said there were some problems from the rate that was coming from the pumps. This has been resolved and he recommended that council close out the project. Dave Gray moved to close out phase one of the water project and authorize the Mayor to sign the paperwork. John Langs seconded the motion. The motion passed – John Langs “yes”, Dave Gray “yes”, Dave Sims “yes”, Connie Wells “yes”.

Dave Gray moved to authorize the Mayor to sign the final pay request for B.F. Builders for phase one of the water project. John Langs seconded the motion. The motion passed, all in favor – John Langs “yes”, Dave Gray “yes”, Dave Sims “yes”, Connie Wells “yes”.

Dave Gray would like an update on Riley Creek and have a sick leave bank on the next agenda.

Stephen said a letter was sent to Riley Creek modifying their bill for February and he has calculated the next bill. He said Bob Brooks will have his cost of service study done for Riley Creek by next week.

John Langs would like to have water tests that were waived by the previous council revisited and also insurance requirements for building use on the next agenda. Tim Wilson said the city is covered through ICRMP and if someone is hurt the city is covered. He said if someone gets injured and the group using the facility is named in a law suit they would not be defended by ICRMP. The city would be covered for defense through ICRMP. Tim said more insurance is better than no insurance. Stephen said there is a danger of the group that does not have insurance being exposed for liability.

There being no further business, the meeting adjourned at 9:37 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk